

**In the United States Court of Federal Claims**

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DEANNA MAE CASIANO, <i>et al.</i>	)	
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	)	
Plaintiffs,	)	
	)	No. 17-1315C
v.	)	(Filed: June 27, 2019)
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

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**ORDER**

This case was originally filed by Plaintiffs Deanna Mae Casiano and Patricia Barrett in January 2018. Plaintiffs challenged several actions of the United States Public Health Service (“USPHS”) in connection with their respective separations from the service for medical reasons. Following dispositive motions from each of the parties, on January 22, 2019 the Court issued an opinion and order which, among other things, remanded to the BCCR Ms. Casiano’s claim with respect to her disability rating of 20% for fibromyalgia. On May 20, 2019, the government notified the Court that on remand, the BCCR directed USPHS to “retroactively correct” Ms. Casiano’s disability separation to reflect her disability retirement with a physical disability rating of 40%. ECF No. 46.

On June 19, 2019, each party filed a notice pursuant to Rule 52.2(e) of the Rules of the Court of Federal Claims, informing the Court that no further proceedings were needed and that the BCCR’s remand decision “affords a satisfactory basis for disposition of the case.” See RCFC 52.2(e)(1)(A); ECF Nos. 47–48. Therefore, all of Plaintiffs’ claims are due to be **DISMISSED with prejudice** because: (1) Ms. Casiano has prevailed on her remanded claim at the BCCR; and (2) the Court previously granted the government’s motion for judgment on the administrative record as to all of the other claims in the case. The Clerk is directed to enter judgment accordingly.

**IT IS SO ORDERED.**

s/ Elaine D. Kaplan

ELAINE D. KAPLAN

Judge